THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Civil Misc. Writ Petition (M/S) No. 257 of 2006
(Under Article 226/227 of the Constitution of India)

Sri Devendra Kumar Mittal, S/O late Sri Munni Lal,
R/O Subhash Nagar, Clement Town, Dehradun.

…. **Petitioner.**

Versus

1. Smt. Harminder Kaur, W/O Sri Prem Singh Kukreja.
2. Shri Prem Singh Kukreja, S/O Sri Tara Chand,
   Both residents of Laural Home School (new name Laural International School), Subhash Nagar,
   Clement Town, Dehradun.
3. Laural Home School (new name Laural International School) Subhash Nagar, Clement Town,
   Dehradun.
4. Civil Judge (S.D.)Dehradun.

… **Respondents.**

Sarvsri B.P. Nautiyal & Hari Mohan Bhatia, learned counsel for the petitioner.
Sri Nand Prasad, Learned Standing Counsel for the respondent No. 4.

Dated March 23, 2006.

PC:
(Hon'ble B.S. Verma, J.)

Heard learned counsel.

The petitioner has filed the present Writ Petition to issue a writ, order or direction in the nature of mandamus commanding the Civil Judge (Senior Division), Dehradun (respondent no.4) to decide the Original Suit No. 483 of 2001, Devendra Kumar Vs. Harmindar Kaur and others expeditiously.

The record of the case shows that the petitioner filed a suit for possession and for recovery of damages and other relief against the respondent nos. 1 to 3 in the court of respondent no.4, which was registered as Original Suit No. 483 of 2001. It is alleged that the contesting respondent-defendants are adopting delay tactics to

prolong the proceedings on one pretext or the other and the plaintiff-petitioner is going to suffer injury and great hardship for want of disposal of the said suit. Admittedly, the suit is pending since the year 2001.

In the course of arguments, learned counsel for the petitioner submitted that to meet the ends of justice, a direction may be issued to the respondent no.4 to decide the Original Suit No. 483 of 2001 pending disposal in his court, expeditiously. The prayer is innocuous.

The learned Civil Judge (Sr. Division), Dehradun is directed to decide the aforesaid O.S. No. 483 of 2001, Devendra Kumar Vs. Harmindar Kaur and others pending disposal in his court preferably within a period of six months from the date of production of certified copy of this order on merit.

With the aforesaid observation, the Writ Petition is disposed of finally.

(B.S. Verma, J.)

RCP